

Senate State and Local Government Committee 1

Amendment No. 1 to SB1354

Dickerson
Signature of Sponsor

AMEND Senate Bill No. 1354

House Bill No. 911*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-5-204(b)(2), is amended by deleting the subdivision and substituting instead the following:

(A) An executive committee that determines that a candidate is not qualified under § 2-13-104 shall file the committee's determination with the coordinator of elections no later than twelve o'clock (12:00) noon prevailing time on the seventh day after the qualifying deadline for the election. The coordinator of elections shall notify each county election commission on whose ballots the candidate's name would otherwise appear prior to the election commission printing the ballot.

(B) If an executive committee submits a candidate's name to be excluded from the ballot pursuant to subdivision (b)(2)(A), the executive committee shall provide the candidate written notice of the exclusion within two (2) days after submission. The executive committee shall mail the notice by certified mail, return receipt requested, or any form of expedited mail that requires a signature at receipt, to the residential address or the business address of the candidate as listed on the candidate's nominating petition. The executive committee shall retain the return receipts, or other documentation of timely notification, for a period of not less than one (1) year from the date the notification was sent. The candidate may appeal the determination in writing and must file the original appeal with the executive committee and a copy of the appeal with the coordinator of elections within two (2) days of receipt of the notice from the executive committee. Unless the coordinator of elections receives a letter from the executive committee withdrawing the committee's determination of the candidate's disqualification

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no later than the close of business seven (7) days after the original withdrawal deadline, the candidate's name must be excluded from the ballot. The executive committee may file the withdrawal letter with the coordinator of elections by fax, email, hand delivery, or through a priority mail process.

(C) The appeal process described in subdivision (b)(2)(B) does not apply to a special primary or special general election to fill the vacancy for members of the general assembly or the office of representatives in congress.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.